



General Assembly

February Session, 2014

***Raised Bill No. 110***

LCO No. 989



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:  
(ET)

***AN ACT CONCERNING FRAUD PREVENTION IN CONNECTICUT'S  
UTILITY TERMINATION PROTECTION PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivisions (1) to (3), inclusive, of subsection (b) of  
2 section 16-262c of the 2014 supplement to the general statutes are  
3 repealed and the following is substituted in lieu thereof (*Effective*  
4 *October 1, 2014*):

5 (b) (1) From November first to May first, inclusive, no electric or  
6 electric distribution company, as defined in section 16-1, no electric  
7 supplier and no municipal utility furnishing electricity shall terminate,  
8 deny or refuse to reinstate residential electric service in hardship cases  
9 where the customer lacks the financial resources to pay his or her  
10 entire account. From November first to May first, inclusive, no gas  
11 company and no municipal utility furnishing gas shall terminate, deny  
12 or refuse to reinstate residential gas service in hardship cases where  
13 the customer uses such gas for heat and lacks the financial resources to  
14 pay his or her entire account, except a gas company that, between May  
15 second and October thirty-first, terminated gas service to a residential

16 customer who uses gas for heat and who, during the previous period  
17 of November first to May first, had gas service maintained because of  
18 hardship status, may refuse to reinstate the gas service from November  
19 first to May first, inclusive, only if the customer has failed to pay, since  
20 the preceding November first, the lesser of: (A) Twenty per cent of the  
21 outstanding principal balance owed the gas company as of the date of  
22 termination, (B) one hundred dollars, or (C) the minimum payments  
23 due under the customer's amortization agreement. Notwithstanding  
24 any other provision of the general statutes to the contrary, and except  
25 as provided in subsection (h) of this section, no electric, electric  
26 distribution or gas company, no electric supplier and no municipal  
27 utility furnishing electricity or gas shall terminate, deny or refuse to  
28 reinstate residential electric or gas service [where the customer lacks  
29 the financial resources to pay his or her entire account and for which  
30 customer or a member of the customer's household] for a customer if  
31 (i) the termination, denial of or failure to reinstate such service would  
32 create a life-threatening situation, as certified by a licensed physician  
33 or an advanced practice registered nurse, for such customer or a  
34 member of the customer's household, and (ii) the customer has  
35 submitted the worksheet required under subsection (g) of this section.  
36 No electric, electric distribution or gas company, no electric supplier  
37 and no municipal utility furnishing electricity or gas shall terminate,  
38 deny or refuse to reinstate residential electric or gas service where the  
39 customer is a hardship case and lacks the financial resources to pay his  
40 or her entire account and a child not more than twenty-four months  
41 old resides in the customer's household and such child has been  
42 admitted to the hospital and received discharge papers on which the  
43 attending physician or an advanced practice registered nurse has  
44 indicated such service is a necessity for the health and [well being]  
45 well-being of such child.

46 (2) During any period in which a residential customer is subject to  
47 termination, an electric, electric distribution or gas company, an  
48 electric supplier or a municipal utility furnishing electricity or gas shall

49 provide such residential customer whose account is delinquent an  
50 opportunity to enter into a reasonable amortization agreement with  
51 such company, electric supplier or utility to pay such delinquent  
52 account and to avoid termination of service. Such amortization  
53 agreement shall allow such customer adequate opportunity to apply  
54 for and receive the benefits of any available energy assistance  
55 program. An amortization agreement shall be subject to amendment  
56 on customer request if there is a change in the customer's financial  
57 circumstances.

58 (3) As used in this section: [ (A) "household income"]

59 (A) "Household income" means the combined income over a twelve-  
60 month period of the customer and all adults, except children of the  
61 customer, who are and have been members of the customer's  
62 household for six months or more; [ and (B) "hardship case"]

63 (B) "Liquid assets" means all cash, and all stocks, bonds and other  
64 assets that can be converted to cash quickly, of the customer and all  
65 adults, except children of the customer, who have been members of the  
66 customer's household for six months or more;

67 (C) "Hardship case" includes, but is not limited to: (i) A customer  
68 receiving local, state or federal public assistance; (ii) a customer whose  
69 sole source of financial support is Social Security, Veterans'  
70 Administration or unemployment compensation benefits; (iii) a  
71 customer who is head of the household and is unemployed, and the  
72 household income is less than three hundred per cent of the poverty  
73 level determined by the federal government; (iv) a customer [who is  
74 seriously ill or who has a household member who is seriously ill;] or a  
75 member of the customer's household who has been certified by a  
76 licensed physician or an advanced practice registered nurse as  
77 seriously ill; and (v) a customer whose income falls below one  
78 hundred twenty-five per cent of the poverty level determined by the  
79 federal government; [and (vi) a customer whose circumstances

80 threaten a deprivation of food and the necessities of life for himself or  
81 dependent children if payment of a delinquent bill is required]

82 (D) "Life-threatening situation" means a situation in which a  
83 customer or a member of the customer's household is dependent upon  
84 life-sustaining equipment operated by electricity with no battery  
85 backup that is prescribed by a licensed physician and is necessary to  
86 sustain the customer's life or the life of a member of the customer's  
87 household; and

88 (E) "Serious illness" or "seriously ill" means a physical condition for  
89 which the disconnection of utility service would seriously endanger a  
90 customer's life or the life of a member of the customer's household.

91 Sec. 2. Section 16-262c of the 2014 supplement to the general statutes  
92 is amended by adding subsections (g) and (h) as follows (*Effective*  
93 *October 1, 2014*):

94 (NEW) (g) (1) The Public Utilities Regulatory Authority shall, within  
95 available appropriations, approve a worksheet that provides for a  
96 customer seeking to avoid termination of electric or gas service  
97 pursuant to subsection (b) of this section or subsection (b) of section  
98 16-262d, as amended by this act, to demonstrate (A) the household  
99 income is less than three hundred per cent of the poverty level  
100 determined by the federal government, and (B) the liquid assets are  
101 less than ten thousand dollars.

102 (2) Such customer shall submit to the electric or electric distribution  
103 company, electric supplier, gas company or municipal utility, or their  
104 designee, under penalty of perjury, the worksheet approved pursuant  
105 to subdivision (1) of this subsection.

106 (NEW) (h) Notwithstanding any other provision of the general  
107 statutes to the contrary, any electric or electric distribution company,  
108 electric supplier, gas company or municipal utility may request an  
109 investigation by the Public Utilities Regulatory Authority to contest the

110 validity of a certification of a life-threatening situation or serious  
111 illness by a licensed physician or advanced practice registered nurse.  
112 The authority shall, within available appropriations, review the facts  
113 and make a written determination not later than sixty days as to  
114 whether (1) such physician's or nurse's certification was not made in  
115 good faith or there is not a life-threatening situation or serious illness,  
116 or (2) the customer has abused or seeks to abuse the protections  
117 afforded by this section and section 16-262d, as amended by this act. If  
118 the authority finds, in such written determination, subdivision (1) or  
119 (2) of this subsection to be true, the customer or a member of the  
120 customer's household, as applicable, shall no longer be considered in a  
121 life-threatening situation or seriously ill and the authority may  
122 authorize the termination of the customer's service.

123 Sec. 3. Subsection (b) of section 16-262d of the general statutes is  
124 repealed and the following is substituted in lieu thereof (*Effective*  
125 *October 1, 2014*):

126 (b) [No] Except as provided in subsection (h) of section 16-262c, as  
127 amended by this act, no such company, electric supplier or municipal  
128 utility shall effect termination of service for nonpayment during such  
129 time as [any resident of a dwelling to which such service is furnished is  
130 seriously ill, if the fact of such serious illness] the customer or a  
131 member of the customer's household is seriously ill, as defined in  
132 section 16-262c, as amended by this act, if (1) the customer submits the  
133 worksheet required under subsection (g) of section 16-262c, as  
134 amended by this act, and (2) such serious illness is certified to such  
135 company, electric supplier or municipal utility by a [registered]  
136 licensed physician or an advanced practice registered nurse within  
137 such period of time after the mailing of a termination notice pursuant  
138 to subsection (a) of this section as the Public Utilities Regulatory  
139 Authority may by regulation establish, provided the customer agrees  
140 to amortize the unpaid balance of his account over a reasonable period  
141 of time and keeps current his account for utility service as charges  
142 accrue in each subsequent billing period.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2014</i>	16-262c(b)(1) to (3)
Sec. 2	<i>October 1, 2014</i>	16-262c
Sec. 3	<i>October 1, 2014</i>	16-262d(b)

***Statement of Purpose:***

To prevent fraud in the state's utility termination protection programs.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*